



79556/PRC
Customer No. 01333

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LJW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Inventor(s):

Girish V. Prabhu, et al.

Title: **METHOD AND APPARATUS FOR
PROVIDING A USER CUSTOMIZABLE
DIGITAL CAMERA**

Serial No. 09/549,356

Filed: April 14, 2000

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Group Art Unit: 2612

Examiner: Kelly L. Jerabek

I hereby certify that this correspondence is being deposited today with the
United States Postal Services as first class mail in an envelope addressed to:
Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

Carol J. Murphy
Name: Carol J. Murphy
Date: *December 14, 2004*

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Reconsideration of the holding of Abandonment of Application Serial
No. 09/549,356 under 37 CFR 1.137(b) is respectfully requested.

This application became unintentionally abandoned on October 25,
2004, for failure to properly file an RCE and Request for Extension of Time (3
months), within 6 months of the receipt of the Final Rejection of April 23, 2004. An
RCE and a Request for Extension of Time (3 months) was timely filed, along with an
Amendment, on October 25, 2004. However, the RCE and the Request for Extension
of Time (3 months) inadvertently referenced the priority provisional serial number
instead of the current 111-A serial number (copies enclosed) and therefore was not
received by the Examiner. The Amendment that was filed along with the RCE and
Request for Extension of Time had the correct serial number on it (copy enclosed),
and was received by the Examiner.

Examiner Kelly Jerabek had a phone conversation with my assistant
and it was discovered at that time, that the RCE and Request for Extension of Time
had never reached the Examiner because of the provisional serial number on the
forms, rather than the 111-A serial number.

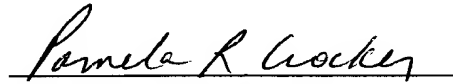
Along with this Petition for Revival, please find a Request for Extension of Time and an RCE with the 111-A serial number on them, and the Amendment that was filed on October 25, 2004.

This petition is filed to revive the abandoned Application and is filed:

☐ within one year of the date of abandonment.

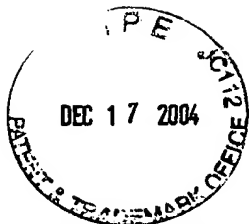
Please charge the petition fee for this application to Eastman Kodak Company Deposit Account No. 05-0225. *A duplicate copy of this petition is enclosed.*

Respectfully submitted,

A handwritten signature in cursive script, reading "Pamela R. Crocker", is written over a horizontal line.

Attorney for Applicants
Registration No. 42,447

Pamela R. Crocker/cjm
Telephone: (585) 477-0553
Facsimile: (585) 477-4646
Enclosures



Docket 79556/PRC
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Girish V. Prabhu, et al

**METHOD AND APPARATUS FOR
PROVIDING A USER CUSTOMIZABLE
DIGITAL CAMERA**

Serial No. 60/137,078.

Filed June 02, 1999

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Group Art Unit: 2612

Examiner: Kelly L. Jerabek

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Carol J. Murphy
Carol J. Murphy

October 25, 2004
Date

COPY

ENTERED
Initials *Cjm*
Date *10/25/04*

Sir:

**REQUEST FOR EXTENSION OF TIME
UNDER 37 C.F.R. 1.17 AND 1.136**

CHECK ONE:



Applicants petition for an extension of 3 months from the expiration date of the shortened time period set by the Office Action dated April 23, 2004.



Applicants petition for a further extension of month from the expiration date of the extension requested by Applicants in the Request dated .

Please charge the fee to Eastman Kodak Company Deposit Account No. 05-0225. A duplicate copy of this request is enclosed.

Respectfully submitted,

Pamela R. Crocker

Attorney for Applicants
Registration No. 42,447

Pamela R. Crocker /cjm
Telephone: 585-477-0553
Facsimile: 585-477-4646

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.



79556/PRC
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Girish V. Prabhu, et al

**METHOD AND APPARATUS FOR
PROVIDING A USER CUSTOMIZABLE
DIGITAL CAMERA**

Serial No. 60/137,078

Filed 02 June 1999

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Group Art Unit: 2612

Examiner: Kelly L. Jerabek

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Carol J. Murphy
Carol J. Murphy

October 25, 2004
Date

COPY

ENTERED
Initials *Cjm*
Date *10/25/04*

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE)

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

1. Submission required under 37 CFR § 1.114

- (a) ☐ Previously submitted
- (i) ☐ Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on
- (ii) ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- (iii) ☐ Other
- (b) ☒ Enclosed
- (i) ☒ Amendment/Reply
- (ii) ☐ Affidavit(s)/Declaration(s)
- (iii) ☐ Information Disclosure Statement (IDS)
- (iv) ☐ Other

2. Miscellaneous

- (a) Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) of a period of months. (Period of suspension shall not exceed 3 months: Fee under 37 C.F.R. § 1.17(i) required)
- (b) Other

3. Fees

☒

The Commissioner is hereby authorized to charge the following fees, or credit any overpayments to Eastman Kodak Company Deposit Account No. 05-0225.

A duplicate copy of this sheet is enclosed.

4.

☒
☒

- RCE fee required under 37 CFR § 1.17(e)
- Extension of time fee (37 CFR § 1.136 and 1.117)

Respectfully submitted,

Pamela R. Crocker
Attorney for Applicant(s)
Registration No. 42,447

Pamela R. Crocker/cjm
Rochester, NY 14650
Telephone: 585-477-0553
Facsimile: 585-477-4646

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.



79556PRC
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Inventor(s):
Girish V. Prabhu et al.

Title:
**METHOD AND APPARATUS FOR
PROVIDING A USER
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Serial No. 09/549,356

Filed: April 14, 2000

Commissioner for Patents
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Commissioner for Patents, P. O. Box 1450, Alexandria VA 22313-1450

Carol J. Murphy
Name: Carol J. Murphy
Date: *October 25, 2004*

October 25, 2004

COPY

ENTERED *[initials]*
Initials *[initials]*
Date *10/25/04*

AMENDMENT

In response to the Office Action dated April 23, 2004, please amend the
application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page
2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

Amendments to the Claims:

This listing of the claims will replace all prior versions, and listings of claims in the application:

Listing of Claims:

1-41. (Canceled)

42. (Currently amended) A method for customizing a graphical user interface of a digital camera for a particular user, comprising:

(a) providing customization software executed external to the digital camera which provides a simulation of the graphical user interface of the digital camera on a display device separate from the digital camera, the graphical user interface of the digital camera comprising an image display for displaying a plurality of icons, actuation of a given one of the displayed icons initiating a corresponding function in the digital camera;

(b) in response to input from the particular user, modifying the simulation of the graphical user interface to customize the graphical user interface for the particular user, the customization software permitting selection of one of a plurality of different actuatable versions of at least the given icon, the input from the user comprising a selection of a particular one of the different actuatable versions of the given icon for use on the image display of the graphical user interface of the digital camera;

(c) configuring firmware to provide the customized graphical user interface; and

(d) storing the configured firmware in the digital camera to thereby customize the graphical user interface of the digital camera.

43. (Previously presented) The method according to claim 42 wherein the customization software is provided on a computer program product.

44. (Previously presented) The method according to claim 42 wherein the customization software is provided by a Network Service Provider.

45. (Previously presented) The method according to claim 42 wherein the simulation of the graphical user interface is provided using a host computer.

46. (Previously presented) The method according to claim 45 wherein the host computer is provided in a retail establishment.

47. (Previously presented) The method according to claim 42 wherein the digital camera includes a removable memory card, and wherein the configured firmware is stored on the removable memory card.

48. (Previously presented) The method of claim 42 wherein the digital camera further includes a processor, and wherein the configured firmware is executed by the processor to control the operation of the digital camera.

49. (Previously presented) A digital camera including a graphical user interface configured according to the method of claim 42.

50. (Previously presented) At least one computer program product having the customization software stored thereon for performing the method according to claim 42.

51. (Previously presented) The method of claim 42 further including enabling the user to select at least one desired camera feature, wherein the at least one desired camera feature that can be selected by the user includes monochrome effects, sepia effects, or special effects filters.

52. (Previously presented) The method of claim 42 further including enabling the user to select at least one desired camera feature, wherein the at least one

desired camera feature that can be selected by the user includes particular tone or color adjustments, or sharpness adjustments.

53. (Currently amended) A method for customizing at least one feature and the graphical user interface of a digital camera for at least one user, the method comprising:

- (a) providing customization software executed external to the digital camera which can enable a user to select at least one desired camera feature from a plurality of different selectable camera features;
- (b) displaying a list of the selectable camera features;
- (c) enabling the user to select at least one desired camera feature from the displayed list of camera features;
- (d) in response to the selection by the user, providing a simulation of a customized graphical user interface for a customized digital camera, the ~~customize~~ customized graphical user interface enabling the user to activate the at least one user selected camera feature, the simulation being provided on a display device separate from the digital camera, the customized graphical user interface of the digital camera comprising an image display for displaying information associated with the selected camera feature, the selection by the user further comprising a selection of a particular one of a plurality of different available versions of the displayed information, associated with the selected camera feature, for use on the image display of the customized graphical user interface of the digital camera;
- (e) configuring firmware to provide the desired camera feature and the customized graphical user interface; and
- (f) storing the configured firmware in the digital camera to thereby customize the digital camera.

54. (Previously presented) The method according to claim 53 wherein the customization software is provided on a computer program product.

55. (Previously presented) The method according to claim 53 wherein the customization software is provided by a Network Service Provider.

56. (Previously presented) The method according to claim 53 wherein the simulation of the graphical user interface is provided using a host computer.

57. (Previously presented) The method according to claim 56 wherein the host computer is provided in a retail establishment.

58. (Previously presented) The method according to claim 53 wherein the digital camera includes a removable memory card, and wherein the configured firmware is stored on the removable memory card.

59. (Previously presented) The method of claim 53 wherein the digital camera further includes a processor, and wherein the configured firmware is executed by the processor to control the operation of the digital camera.

60. (Previously presented) A digital camera including a graphical user interface configured according to the method of claim 53.

61. (Previously presented) At least one computer program product having the customization software stored thereon for performing the method according to claim 53.

62. (Previously presented) The method of claim 53 further including enabling the user to select at least one desired camera feature, wherein the at least one desired camera feature that can be selected by the user includes monochrome effects, sepia effects, or special effects filters.

63. (Previously presented) The method of claim 53 further including enabling the user to select at least one desired camera feature, wherein the at least one desired camera feature that can be selected by the user includes particular tone or color adjustments, or sharpness adjustments.

64. (Previously presented) The method of claim 53 further including the user providing a payment identifier specifying an account to be debited to pay for the at least one selected feature.

65. (Previously presented) The method according to claim 64 wherein the account is a credit card account and the payment identifier is information provided from the credit card.

REMARKS

The present application was filed on April 14, 2000, with claims 1-41. In an Amendment filed February 6, 2004, Applicants canceled claims 1-41, and added new claims 42-65. Claims 42-65 remain pending in the present application. Claims 42 and 53 are the independent claims.

Independent claims 42 and 53 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,541,656 to Kare et al. (hereinafter "Kare"). Each of the dependent claims stands rejected either under 35 U.S.C. §102(b) as being anticipated by Kare or under 35 U.S.C. §103(a) as being unpatentable over Kare in view of an additional cited reference.

In this response, Applicants amend independent claims 42 and 53. Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and the remarks below.

Independent claim 42 has been amended to specify that the graphical user interface of the digital camera comprises an image display for displaying a plurality of icons, with actuation of a given one of the displayed icons initiating a corresponding function in the digital camera. The claim has been further amended to specify that the customization software permits selection of one of a plurality of different actuatable versions of at least the given icon, with input from the user comprising a selection of a particular one of the different actuatable versions of the given icon for use on the image display of the graphical user interface of the digital camera. Support for the amendments can be found in the specification at, for example, page 11, line 19, to page 14, line 13.

In an illustrative embodiment described in conjunction with FIGS. 4A and 4B of the present application, it can be seen that a user is permitted to select between different actuatable versions of a given icon corresponding to a particular function in the digital camera. For example, first and second actuatable versions of an active icon corresponding to an image magnification function in digital camera 10 are shown as icons 252A and 252B in FIGS. 4A and 4B, respectively. Other examples of different actuatable versions of a given icon may include different color versions,

different text fonts, different styles, different themes, and different background colors or patterns.

Such an arrangement is not disclosed or suggested in Kare. Kare instead uses a fixed LCD 260, as shown in FIG. 9B, in which the particular manner in which a given active icon is displayed is fixed and not subject to user selectability. In other words, although a user may be permitted to select whether a given icon is on or off, as indicated at column 5, lines 26-28, the user cannot select between different actuatable versions of a given icon as claimed. This is because once the Kare icon is "turned off," it is no longer actuatable by the user to initiate a corresponding function. Unlike Kare, the claimed arrangement uses an image display, rather than a fixed LCD, and provides user selectability of different actuatable versions of a given icon.

Independent claim 53 has been amended to specify that a customized graphical user interface of a digital camera comprises an image display for displaying information associated with a particular selected camera feature. The claim as amended further indicates that a user is permitted to select a particular one of a plurality of different available versions of the displayed information, for the particular selected camera feature, for use on the image display of the customized graphical user interface of the digital camera. Again, support for the amendments can be found in the specification at, for example, page 11, line 19, to page 14, line 13. The fixed LCD 260 of Kare, unlike the claimed arrangement, provides only one version of a given icon or other piece of displayed information associated with a particular selected camera feature.

Claims 42 and 53 as amended are believed to define patentable subject matter relative to Kare and the other art of record.

The dependent claims are believed allowable for at least the reasons identified above with regard to their respective independent claims.

It is believed that the claims in the application are allowable over the prior art and such allowance is respectfully requested.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company Deposit Account No. 05-0225.

A duplicate copy of this communication is enclosed.

Respectfully submitted,

A handwritten signature in cursive script, reading "Pamela R. Crocker", written over a horizontal line.

Pamela R. Crocker

Attorney for Applicant(s)

Registration No. 42,447

PRC:cjm

Telephone: (585) 477-0553

Facsimile: (585) 477-4646